

REMARKS

In the outstanding Office Action, the Examiner rejected claims 1, 14, 16, and 19-37. Claims 1, 14, 22, 28 and 32 are amended herein, and claims 20, 21, 23-25, 30, 31, 35 and 36 are cancelled herein without prejudice. Claims 2-13, 15, 17 and 18 remain cancelled. No new matter is presented.

Thus, claims 1, 14, 16, 19, 22, 26-29, 32, 33 and 37 are pending and under consideration. The rejections are traversed below.

REQUEST FOR AN EXAMINER INTERVIEW:

Applicants respectfully request that the Examiner contact the undersigned to indicate a convenient time for an Examiner Interview. Applicants believe that an Examiner Interview would expedite the prosecution of the application.

OBJECTION TO CLAIMS:

At item 3 of the outstanding Office Action, the Examiner objected to claims 24 and 36. Appropriate correction is made herein.

Therefore, withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112:

At item 4 of the Office Action the Examiner rejected claims 1 and 13-37 under 35 U.S.C. §112¶2. Pertinent claims are amended herein. As mentioned above, claims 20, 21, 23-25, 30, 31, 35 and 36 are cancelled.

Amendments to the claims have been made to clarify that the server specifies (i.e., determines) the advertisement medium person corresponding to the received user specified information, and retrieves advertisement information stored in the server. The advertisement information retrieved is subsequently distributed to the portable terminal of the consumer via the network.

Claims 1, 14, 20 and 22 are amended herein to clarify features the Examiner indicated as being unclear. Applicants respectfully submit that the other rejected independent claims as amended do not include the language in the form objected to by the Examiner.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1 and 13-37 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Pub. No. 2002/0160759 (Pradhan).

Pradhan does not teach or suggest **"receiving at the server... user-specified information about an advertisement medium person having goods on or with and a retrieval condition"** where the server retrieves an advertisement based on "user specified information of the advertisement medium person" and goods "retrieval condition", as recited for example in claim 1 (emphasis added). See also independent claims 14, 26, 28 and 33 reciting similar features.

Pradhan does not teach or suggest extracting an advertisement based on "user-specified information about an advertisement medium person", "a retrieval condition of goods" and "a profile of the advertisement medium person" received by a portable device of a consumer, where the server transmits the advertisement to the portable terminal device of the consumer, as recited in claim 22. See also claim 32 reciting similar features.

Instead, Pradhan discusses transferring advertising information between an advertiser phone and a consumer phone. However, the consumer phone in Pradhan is provided with information to filter the advertising information, and thus there is no need for the transmission from the terminal device of the consumer to the server to specify the advertisement.

The Pradhan consumer telephone is directed to an advertisement filter for comparing categories or profile permissible parameters of an advertisement with its filter (see, paragraph 83). After the consumer's telephone has determined that the broadcast advertisement is of interest, the advertisement is sent to the telephone (see, paragraph 84 and Fig. 2). Meaning, Pradhan is limited to only transmitting the advertisement in association with a single recipient consumer telephone having a filter profile matching characteristic profile of the advertisement.

Moreover, Pradhan does not teach or suggest **"receiving user-specified information of the first user including a retrieval condition from a second user" and "retrieving said advertisement from the portable terminal of the first user responsive to receipt of the user-specified information and said retrieval condition from the second user and transmitting said advertisement to a device of the second user"**, as recited in claim 37 (emphasis added).

Pradhan does not teach or suggest the above-discussed features including retrieval of advertisement information in association with "user-specified information", "profile" and/or "goods retrieval information", as taught by the present invention (see discussion of claims). Instead, Pradhan simply provides advertisement only in association with the recipient consumer.

Accordingly, Pradhan does not disclose every element of the Applicants' claims. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Pradhan does not disclose the features recited in the independent claims, as stated above, it is respectfully submitted that the independent patentably distinguishes over Pradhan, and withdrawal of the §102(e) rejection is earnestly and respectfully solicited.

Claims depending from the independent claims include all of the features of respective independent claims plus additional features which are not disclosed by Pradhan.

The dependent claims are also independently patentable. For example, the invention of claim 16 includes, "distributing the advertising information about the goods obtained by said retrieving to a portable terminal device of the person, and requesting transmission of the advertising information or transmitting the advertising information between the portable terminal device of the person and the portable terminal device of the consumer."

Pradhan does not teach or suggest "transmitting the advertising information between the portable terminal device of the person and the portable terminal device of the consumer", as recited in claim 16.

As mentioned above, Pradhan is limited to a filter comparing categories or profile permissible parameters of an advertisement as determined only by the recipient consumer's telephone (see, paragraph 84 and Fig. 2).

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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